

ADMINISTRATION

BOARD OF SELECTMEN

This year, 2008, marks the 325th anniversary of Stow's first selectmen. On April 19, 1683, the first selectmen were appointed by the inhabitants of the new Plantation of Pompositticut to "act on affairs relating to good government." They were Sgt. Benjamin Bosworth, Boaz Brown, Joseph Freeman, Thomas Gates, Stephen Hall, and Thomas Stevens. On May 16 of the same year, the Great and General Court in Boston granted township to the settlement, approved the selectmen's appointments, and we became the Town of Stow.¹

Today, the Board serves as the Chief Executive Officer of the Town and continues to act on affairs relating to good government. The Board's duties as policy makers and leaders are detailed in the Town Charter and General Bylaws. The Town's daily financial and administrative functions are handled by Town Administrator William Wrigley.

Much of the Board's work during 2008 was preparing to implement the upcoming version of the Master Plan, the Town's blueprint for the future. Specifically, this meant identifying areas of concentration for the Board, such as land use and affordable housing, and creating processes and agencies to address the needs of each area.

During the Board's annual meeting to set goals for the upcoming year, a new approach was chosen. Instead of having lists of multiple goals for each selectman, they decided to focus on their role implementing the Master Plan. The Board identified the best channels of communication to drive the implementation and to turn the current document into an action plan.

To accomplish this goal, the Board created two new committees and appointed liaisons to all of those groups that were active on related projects:

- Assabet River Rail Trail Committee (new)
- Elementary School Building Committee
- Land Use Task Force (new)
- Lower Village Planning Committee
- Master Plan Committee
- Municipal Affordable Housing Trust

These connections enabled the Board to stay informed of the groups' activities and to facilitate progress wherever possible.

In addition, the Board ensured that the town's best interests were represented in a state and federal study of Assabet River water quality by appointing two members of the Conservation Commission, Ingeborg Hegemann-Clark and Rebecca Mattison, to a regional committee on the project.

Land Use Task Force

Several factors converged to raise land use to a high priority in 2008. The search for land for school buildings, a senior center, a fire station, recreation fields, and other municipal purposes led

¹ Ellie Childs. History of Stow, Tercentenary Edition, 1983

to the creation of a five-member Land Use Task Force, charged with three major deliverables to Town Meeting: a complete land inventory, prioritization of municipal needs, and an acquisition strategy for available lands.

Stow Assabet River Rail Trail (ARRT)

Resident Don Rising, representing Stow for many years on the multi-town ARRT Committee, received help in his efforts when the Board established a local five-member Assabet River Rail Trail Committee. Its charge was to investigate routes through Stow (from Maynard to Hudson) and recommend the best route.

Snow Property Purchase For Recreation And Agriculture

On April 22, 2008, with approval by a December 2007 Special Town Meeting, the Board executed a Purchase and Sale Agreement for an approximately 13-acre parcel of land, known as the Snow property, on Old Bolton Road. The parcel is shared between an active recreation area and agricultural fields, currently being leased for organic farming by a local family. The Snow farmland abuts two private properties now protected under permanent agricultural deed restrictions.

Local Licensing Authority

Stow businesses are extremely important to the residents and to Town government alike. As the local licensing authority for alcohol sales, auto sales, and common victualers, the Board reviewed and approved renewal of liquor licenses for the town's four golf courses, two restaurants, and three package stores; for 11 used car dealers; and for two doughnut shops, a café, and two pizza shops.

Appointments

The Board annually appoints the members of roughly 20 committees and departments and 28 individuals, as their terms expire. And the Board is responsible for filling vacancies that arise during the year by appointing qualified individuals.

Upon the resignation of Fire Chief David Soar in 2008, the Board formed a search team for a new chief, composed of public safety experts and local residents under the leadership of the Town Administrator. After an extensive recruiting and evaluation process, the Board accepted the search team's recommendation to hire Michael McLaughlin as the Town's new Fire Chief. Chief McLaughlin is responsible for fire and rescue operations, as well as emergency response planning and management.

Lastly, the Board made a special and memorable "appointment" – the presentation of the historic Boston Post Road Cane to Dr. Donald Freeman Brown of Red Acre Road, in recognition of his status as Stow's eldest resident, having achieved the distinguished age of 100 years in November 2008.

Respectfully submitted,

Thomas Ruggiero, Chairman
Kathleen Farrell, Clerk
Stephen Dungan
Jason Robart

Ellen Sturgis

Susan McLaughlin, Administrative Assistant

TOWN ADMINISTRATOR

The Stow Town Administrator, by Charter, serves as the Town's chief administrative officer. In this capacity, the Town Administrator manages the day-to-day operations of the Town, function as its chief fiscal officer, chief procurement officer, chief personnel officer and chief contract negotiator. In addition, this position serves the Town as chairman of the dispatch communications administrative body, as the labor union grievance hearing appeal officer, the sexual harassment officer and the public records management officer. Throughout the year 2008, functioning in these various administrative positions, the Town Administrator managed several significant matters.

At the Annual Town Meeting in May 2008, for the third consecutive year, the Town Administrator recommended a FY-09 balanced budget that did not require general override. It has been since FY-06 when the operating budget needed \$350,000 in the form of a general override to be balanced and the FY-05 operating budget required a general override of \$250,000. In FY-04, the Town faced a one million dollar budget deficit and was required to utilize both an approval of a general override of \$414,500 together with budget cuts and the expenditure of stored assets to balance the operating budget.

The FY-09 municipal budget is a reasonably tight operational budget. Total spending for the general municipal budget, which includes all of the Town departments (excluding the two school districts), increased by 6.3%. The Nashoba Regional School District assessment increased by 5%; and the Minuteman Regional Vocational Technical School District assessment increased by 1%. The Town's non-bonded capital improvement project costs decreased in FY-09 by 9% to \$347,600.

The Town's non-capital raise and appropriate special articles budget increased in FY-09 by 11% compared to FY-08; increasing from \$307,171 to \$341,171. Included in the number non-capital raise and appropriated special articles funded in FY-09 is \$70,000 for the Reserve fund; \$40,000 for legal services and \$52,530 for information technology purchases.

For FY-2009 the Town's annual debt payment decreased by 7.8% from \$1,434,806 to \$1,323,188. The annual debt payment budget pays the principal and interest on bond notes issued to fund the Town's larger capital improvement projects such as the Hale school renovations, Pompositticut and Center school improvements, the new police station facility and the Town Building construction. Also, the Town regularly borrows to purchase rolling stock such as fire engines and ambulances. Finally, the town periodically borrows money to acquire property. In FY-08, the Town acquired the Snow property for \$1,250,000 requiring the first annual debt payment to be made in FY-09.

For the second consecutive year, the Town is not relying on the use of any Free Cash to balance the operating budget in FY-09. In FY-09 we have transferred \$50,000 from Free Cash to the Stabilization Fund in a continuing effort to increase the amount of the Town's savings. Also, \$193,000 in Free Cash has been provided in FY-09 to fund a number of non-bonded capital improvement projects.

Included in this list of capital projects, the Town has purchased a new police cruiser for \$30,000, along with two new highway department trucks for \$65,000. In FY-09, Hale school and Center school improvements have been funded at \$62,000 and \$20,000 respectively. Additionally, the Town appropriated \$55,000 for funding renovations to the third floor of the Town Building and

\$48,000 to replace the roof. Finally, \$36,000 has been appropriated for purchase of wireless communication equipment for the fire department.

The most significant line item increase in the Town's FY-2009 State and County budget is the county retirement charge. This uncontrollable budget item increased by 12% above FY-2008 going from \$410,254 to \$458,974.

There are three primary reasons that the FY-2009 budget was balanced without need for a general override. First, the Town's annual debt payment decreased by approximately 8% in FY-09 to \$1,323,188. Second, the Town's Minuteman school district assessment increased by less than 1% in FY-09. Third, the Town's non-bonded capital project budget decreased in FY-2009 by 9% to \$347,600.

Looking forward to next year's FY-2010 budget, the Town is facing serious budget constraints that will require significant adjustments in order to avoid the need for another general override. In balancing the FY-2010 budget, it will be necessary to limit recommended total budget expenditures to approximately 4% above the current fiscal year as that is the projected percentage increase in total recurring revenues. Driving this prediction is the fact that Stow possesses several structural revenue impediments that make it increasingly more difficult to balance annual operating budgets without general overrides.

On an annual basis, the Town's tax base represents approximately 90 percent of the Town's total annual recurring budget revenues, and more problematic, this revenue source is providing an increasingly larger percentage of the Town's total revenues each year. Annual municipal state aid to Stow only represents approximately 3 percent of the Town's total annual revenues each year with little expectation that this contributing percentage will increase in the foreseeable future. On the contrary, Stow experienced cuts in municipal state aid just two years ago and this fiscal year we have witnessed an additional 10% in our state aid funding. What is worse, we are being told that our state funding will be further cut in FY-2010 by at least another 20%. The Town's annual local receipts revenues represent approximately 7% of the Town's total revenues. Both the Town's local receipts revenues and new growth tax revenues have declined in each of the last two years and this decline in local revenues is expected to continue in FY-2010.

The distressing fact that a disproportionately high 90% of the Town's recurring revenues come from taxation, is exacerbated by the fact that approximately 92% of the Town's tax base is residential. Ten years ago, the residential tax base represented 89% of the total tax base; so the trend line is negative. Further, through different local tax abatement programs, approximately 50 percent of the Town's total taxable property is either totally exempted from being taxed or it is taxed at a significantly reduced rate. The combined effect of these factors is that the Town suffers from a limited tax base that is also almost completely un-diversified. The annual growth in the Town's tax base depends almost exclusively on housing development growth and the accompanying increase in housing market values. Stow residential taxpayers receive negligible tax relief from the commercial, industrial and personal tax classifications.

For most of the decade of the 1990's, the Town annually voted budgets that contained expenditures totaling less than revenues. During that time, the Town's unused levy capacity grew annually until it peaked eventually at \$372,000 in 1999. Since that time, the Town's unused levy capacity has disappeared.

The Town's Free Cash and Stabilization Fund, our stored assets or savings accounts, peaked at approximately \$1,400,000 in FY-2002. For FY-09, July 1, 2008 to June 30, 2009, the Town's

Free Cash and Stabilization Fund totals only \$870,893. Between the years FY-99 and FY-08, the Town expended approximately \$3,704,404 in Free Cash and Stabilization Fund monies for the purposes of both balancing the Town's annual operating budgets and to fund various capital improvement projects.

Beyond performing functions as the Chief Fiscal Officer, the Town Administrator is directly responsible for managing and controlling the Town's legal budget. As it relates to litigation in 2008, only one lawsuit remains unresolved from the original number of cases generated from the first group of Town-approved cell tower site permits. However, a new cell tower-related lawsuit was filed over a year ago. I have been involved in managing more than ten separate cell tower litigation cases during the last several years. Beyond the cell tower litigation cases that continued in 2008, the Town has been engaged in several other court cases during the last year.

The Town is still litigating one Land Court case involving Massachusetts General Law Chapter 61B. As it relates to the on-going Chapter 61B litigation, the Town, and the Chapter 61B property owner, Ms. Kunelius, are arguing in court over matters of fact and law regarding the Town's assignment of its right of first refusal to the Trust For Public Land. The Town prevailed at the lower court level and Ms. Kunelius is appealing the decision.

Working in another area in 2008, and furthering an initiative begun in 2006, the Town Administrator continued to assist the Town's lower village area commercial property owners in analyzing and assessing the water problems they are currently facing and developing a long-term permanent solution. During the last year, the Assabet Water Company has agreed to design, construct and maintain a private water system to supply lower village. Assabet Water Company proposes to run a 10' water main from its filtration plant at Harvard Acres down to the Lower Village. The state DEP has approved a \$605,000 long-term low interest loan to Assabet to fund the project and the private business customers will pay users fees for access to the water. If this proposed private water system is successfully installed, it will provide a much-needed permanent water source to the Town's only goods and service center at no cost to the Stow taxpayers.

Also in 2008, the Town Administrator was successful in negotiating separately with representatives of the police, clerical and fire unions which will allow new labor contracts to be executed. For many years, the Town's four labor unions and Town management have successfully negotiated employee labor agreements without ever reaching an impasse or filing for arbitration. This cooperative track record is a tribute to both Stow's employee unions and management.

Beyond serving the Town's interests and needs by attending to specific management issues such as the matters detailed above, the Town Administrator is generally engaged in regularly attending to matters associated with the day-to-day operations of the Town. In performing these duties, the Town Administrator is regularly in direct contact with most departmental staff and many Town board and committee members. In addition, I am frequently working with local, state and federal agencies and officials, the public and various private groups and individuals. The Town Administrator strives to be diligent in the performance of these duties and responsibilities.

Respectfully submitted,

William Wrigley, Town Administrator

Susan McLaughlin, Administrative Assistant

PLANNING BOARD

A five-member elected board with one appointed associate voting member, the Planning Board has specific statutory requirements. The Board reviews and approves the division of land under the State Subdivision Control Law (MGL c. 41) and the Stow Subdivision Rules and Regulations; serves as a special permit granting authority under the State Zoning Act and the Stow Zoning Bylaw; and guides the process of Zoning Bylaw amendments under the State Zoning Act (MGL c. 40A).

By statute, the Board is charged with the responsibility of protecting the health, safety and welfare of Stow's residents. Guided by the Massachusetts General Laws, the Stow Zoning Bylaw, the 1996 Stow Master Plan, and citizens' comments and concerns, the Board strives to preserve and enhance the integrity of Stow's character through the use of these regulatory tools, while safeguarding property owners' rights. We recommend and specify changes to development proposals to achieve these goals. Board members and staff strive to work with both applicants and residents to help shape projects so as to positively affect the impact to the community.

The Planning Department completes the Commonwealth Capital Application on an annual basis. The Commonwealth Capital Policy is a program for promoting better land use choices. Commonwealth Capital endorses planning and zoning measures that are consistent with the Commonwealth's Sustainable Development Principles and encourages municipalities to implement these measures by using state funding as an incentive. Scores from the Commonwealth Capital Application are part of the evaluation process for each grant or loan program.

The Planning Department also tracks building permits for affordable housing units and submits the necessary documents to the Department of Housing and Community Development for certification.

Organization

At the annual election, Ernest Dodd was re-elected to a 5-year term. We are pleased that Ernie chose to continue to serve the Town as a Planning Board Member, as he has been a tremendous asset to the Board. We look forward to working with him for another five years.

Following the election, the Board elected Laura Spear to serve as Chairman, Kathleen Willis as Vice Chairman, and Stephen Quinn as Clerk. Bruce Fletcher was appointed as the Voting Associate Member. The Associate Member's voting power is limited to Special Permit applications, in the case of absence, inability to act, or conflict of interest on the part of any member of the Planning Board or in the event of a vacancy on the Board. Lori Clark, Malcolm FitzPatrick, Victoria Fletcher and Donna Jacobs were appointed as non-voting Associate Members. Stephen Quinn and Karen Kelleher were designated to endorse ANR Plans (Subdivision Approval Not Required). The Board appointed representatives to various Committees:

- Community Preservation Committee: Laura Spear
- Master Plan Committee: Kathleen Willis
- Elementary School Building Committee: Stephen Quinn
- Liaison to Zoning Board of Appeals: Stephen Quinn

We have had a very busy year. In order to keep up with our work plan, we continue to hold working meetings in addition to the regularly scheduled meetings so that we now meet on the

first, second, third and fourth Tuesday evenings of the month. Appointments are reserved for the first and third Tuesdays of the month.

Development Activity

In 2008, the Planning Board met with developers and discussed the potential for seventeen (16) new building lots.

The Board denied one (1) sixteen (16) lot preliminary Subdivision Plan:

- Highgrove Estates off of West Acton Road

The Board approved:

Four (4) ANR Plans (Approval not Required under the Subdivision Control Law)

- Boon Road – Dividing a 5 ½ acre parcel into two
- Great Road – Dividing a 9 ½ acre parcel into two (Lot 2 placed in an Agricultural Preservation Restriction)
- Sudbury Road – Lot line adjustment
- Sylvan Drive – Lot line adjustment

One (1) Site Plan Approval

- Town of Stow Community Recreational Facility off of Old Bolton Road

One (1) Special Permit

- 472 Gleasondale Road – Redevelopment of a Historic Structure for use as a residential dwelling, a function/activity room for non-commercial uses, including a woodworking shop, fencing classes and play rehearsals, and an office.

One (1) Special Permit Modification

- Stow Shopping Center – A 4,700 square foot addition to the back of the space now occupied by Colonial Spirits of Stow (the proposed addition). Shaw's Supermarket, in addition to the space it now occupies, will occupy both the proposed addition and the space now occupied by Colonial Spirits, resulting in an increase in the Shaw's Supermarket space to approximately 10,000 sq. ft.

In addition, the Board:

- Held a public hearing to consider a petition for Special Permit for a proposed 3-bay, self-serve automatic carwash at 124 Great Road. The Public Hearing was continued to March 17, 2009.
- Reviewed plans in response to the Special Permit Decision for the RidgeWood at Stow Active Adult Neighborhood. The final plan has not yet been endorsed.

With the assistance of the Board's Consulting Engineer, Susan C. Sullivan, P. E., the Board monitored plans and/or ongoing construction of eight (8) subdivisions and two (2) Special Permits:

- Hiley Meadows Estate (Cider Mill Road)
- Linear Retail – Stow Shopping Center
- Wildlife Woods, a 67-lot subdivision, located off of Sudbury Road
- Orchard View (Brandymeade Circle) a 12-lot subdivision, located off of West Acton Road
- Meadowbrook (Trefry Lane), a 17-lot subdivision, located off of Boxboro Road

- Derby Woods (Sylvan Drive and Dunster Drive extension), a 33-lot subdivision, located off of Harvard Road
- Butternut Farm Golf Course
- Arbor Glen Active Adult Neighborhood
- Whispering Woods (Kettell Plain Road), a 14-lot subdivision, located off of Maple Street
- Taylor Road, a 6-lot Planned Conservation Development
- RidgeWood at Stow Active Adult Neighborhood

The Board had informal discussions with property owners and developers to discuss potential development:

- Whitney Homestead, 485 Great Road
- Mobil Station, 124 Great Road

Appeals

One (1) Subdivision Plan, approved in 2007, is under appeal pending a decision from Land Court:

- River Hill Estates off of Barton Road

One (1) Cell Tower Special Permit Denial is under appeal pending a decision from Federal Court.

Street Acceptance - The Board recommended Town Meeting acceptance of three (3) streets: Farm Road, Militia Circle and Whispering Way.

Enforcement Issues – The Board continued to work with property owners and developers on enforcement issues:

- Butternut Farm Golf Club - Special Permit Conditions
- Trefry Lane emergency access way
- Orchard View subdivision drainage basin

Zoning Bylaw, Subdivision Rules and Regulations, Handbook and Policy – The Board continued its efforts to update its Rules and Regulations and the Zoning Bylaw.

The Board scheduled a public hearing for early 2009 to review the Board's proposal for amendments to the Subdivision Rules and Regulations. The proposed amendments are intended to update the standards to be consistent with the Department of Environmental Protection's Stormwater Handbook and to encourage Low Impact Development. Other proposed amendments are for further clarification of the Zoning Bylaw for future applications.

Five (5) Zoning Bylaw amendments were brought forth and adopted at the Annual Town Meeting in May 2008:

- Wireless Communications Facilities - This article deletes the Wireless Communications Facility Moratorium section of the Zoning Bylaw, which is no longer necessary, as the Wireless Communications Facility Bylaw has since been replaced with the Wireless Service Facility Bylaw.
- Front, Rear and Side YARDS - This article clarifies the inconsistencies between the dimensional setback requirements of the Zoning Bylaw and Board of Health Regulations pertaining to septic systems and removing side and rear setback requirements for driveways.

- Historic Buildings and Structures/Wireless Service Facility - This article clarifies the fact that this section which requires that “Any alteration made to a historic BUILDING or STRUCTURE to accommodate a WIRELESS SERVICE FACILITY shall be fully reversible.” applies to BUILDINGS and STRUCTURES.
- Trailers and Mobile Homes - This article clarifies the fact that Massachusetts General Law Chapter 40A, Section 3, allows for temporary trailers as a dwelling unit for a period not to exceed 12 months while a residence is being rebuilt in the case of fire or catastrophic event.

In an effort to help residents and developers understand the Planning Board’s duties and responsibilities and to inform them of the Board’s policies and procedures and reference materials, the Board adopted a Planning Board Handbook. The handbook is available on the website and in the office of the Planning Board.

Sidewalks

The Board approved expenditure of funds from the Sidewalk Fund to construct sidewalks along Sudbury Road and Pompositticut Street. It is expected that the Highway Department will commence construction in the spring of 2009.

Fees Collected

Fees collected in 2008 in the amount of \$3,987.63 offset expenses incurred for processing applications and for miscellaneous copies. Plan review and inspections are paid for by the Applicant.

Work Plan

The Board’s work plan continues to include efforts to maintain Stow’s rural character, Lower Village and Gleasondale Village planning, pathways/sidewalk planning, assessment of the Town’s future land needs, the need for a public water supply in Lower Village and Gleasondale, updating Rules and Regulations and the Zoning Bylaw, light pollution, and affordable housing. The Board is participating in the Master Plan update as part of this work. The Board held many extra meetings dedicated to reviewing the Zoning Bylaw and Rules and Regulations with plans for extensive changes to encourage Smart Growth and Low Impact Development techniques.

Lower Village

Draft Lower Village Mixed Use Overlay District – On February 13, 2008, the Board held a Public Form on a Draft Lower Village Mixed-Use Village Overlay District Bylaw. The proposed bylaw was the result of efforts by the Metropolitan Area Planning Council under a Priority Development Grant. MAPC conducted a visual preference survey at meetings at Hale School several years ago, and based on that input, drafted a proposed bylaw. MAPC’s draft bylaw was further reviewed and revised by the Planning Board. The Board’s objective was to create an overlay district, which encourages coordinated and cohesive development across parcels and lots; enhance the village atmosphere; increase both economic vitality and housing diversity; and provide flexibility for better design. The proposed bylaw included the existing Business District (Overlay Area A) as well as a transition zone (Overlay Area B). Overlay Area A was intended to be the business center of Stow, which encourages commercial activity with the first floor units for non-residential uses and public amenities emphasized (usable public space, parking, pedestrian support). Overlay Area B was intended to be a transition to residential and commercial districts with the first floor units for certain non-residential uses and public space encouraged for pedestrians.

During the public forum, concern was raised about the proposed Overlay Areas. Some residents in the area did not support the idea of non-residential uses that are not owner-occupied. Based on input at the Public Forum, the Board decided not to go forward with the bylaw as drafted and to participate in the Master Plan process for further understanding of our community's needs and desires.

Lower Village Improvement Plan

The Lower Village Sub-Committee continued working with the Planning Board to enhance the Lower Village area, our vital Business District.

Lower Village Transportation

The Board and its Lower Village Sub-Committee continue to feel strongly that any changes in the traffic pattern for Lower Village shall be in harmony with the Town's goal to enhance the Lower Village as the vital business center of our community, focusing on creating an identity for our historic Lower Village consistent with the rural character of Stow. We continue to seek input from residents on the recommended "Preferred Alternative," as outlined in the Traffic Planning Study, prepared by Fay Spofford and Thorndike (FST), addressing vehicular, pedestrian and bicycle transportation conflicts.

The first step toward implementation of the "Preferred Alternative" was taken this year. Thanks to the efforts of the Lower Village Sub-Committee and the cooperation of the Highway Department, temporary pedestrian refuge islands were installed to allow the Town to determine if they serve their intended purpose to accommodate pedestrian traffic and slow vehicular traffic. It has been reported that the Police Department found that the accident rate has been reduced since installation of the temporary pedestrian refuge islands. It has also been pointed out that some of the locations should be adjusted. The Planning Department continues to research funding sources for design plans for a potential Great Road/Pompositticut Street/Red Acre Road modern roundabout.

Lower Village Common and Streetscape

The Board and its Lower Village Sub-Committee recommended that the Board of Selectmen consider abandonment of a portion of Gardner Road (from a point near the entrance to the Shopping Center at Papa Gino's to Great Road). The objective is to help enhance the Lower Village appearance and historic heritage by returning the Lower Village Common to its original size, as much as possible, by converting that portion of Gardner Road into the common.

Thanks to the Highway Department, the Board is happy to report that we have made strides towards achieving this goal by incorporating a portion of Gardner Road into the common. Thanks to the Highway Department and the Lower Village Sub-Committee, granite posts and wood rail fencing, in keeping with the Lower Village streetscape standards, was installed along the common. This fencing will serve as an example of the plan for a standard streetscape in the Lower Village. A requirement to install the standard streetscape (sidewalks and fencing) was included in the Special Permit Modification for the Stow Shopping Center. This standard streetscape will be installed in the Spring of 2009.

The Highway Department agreed to:

- Install sidewalks along Pompositticut Street to the Maynard town line. This will foster pedestrian traffic to the Lower Village.
- Landscape the Town property, located off Route 117 in the Lower Village, between Red Acre Road and Pompositticut Street.

West Stow Planning

West Stow Planning remains a priority. This area of Town has a large amount of open land at risk of development and with little protection. Several key parcels are currently being developed or are in the planning stage. In its review of concept development plans for this area, the Board has and will continue to stress its goal for any proposed development to make provisions for an Open Space corridor and trail network from the Hudson town line to Great Road, the use of low impact development techniques, the encouragement of diversity in housing stock, and a village feel.

Light Pollution

The Light Pollution Sub-Committee continued working with developers, property owners and the Planning Board and Building Commissioner to ensure compliance with the lighting bylaw adopted in 2007. The Sub-Committee continues to urge residents to confine their lighting to their property by re-aiming or replacing fixtures to achieve better lighting that is not bothersome to others.

Other Activities

The Board continues to keep abreast of proposed changes to Massachusetts General Law and has provided comments on proposed changes:

- Land Use Partnership Act – Modifications to Chapter 40A (Zoning)
- Community Preservation Act
- Green Communities Act

The Board also continues to keep abreast of regional activities. Board members and staff frequently attend meetings of the Metropolitan Area Planning Council (MAPC), Minute Man Advisory Group on Interlocal Coordination (MAGIC), a sub-group of MAPC, serving the communities of Acton, Bedford, Bolton, Boxborough, Carlisle, Concord, Hudson, Lexington, Lincoln, Littleton, Maynard, Stow and Sudbury, and the Massachusetts Association of Planning Directors.

Thanks

None of the planning efforts would be possible without the enormous contributions by Stow residents, who serve as volunteers on the boards and committees and Town staff. It is a pleasure to continue working with all of you.

The Board extends a special thanks to the Highway Department for their cooperation in implementing our Lower Village Planning efforts.

The Board thanks the following Sub-Committee members for their ongoing efforts:

Lower Village Sub-Committee: Chairman Don McPherson, Bruce Fletcher, Karen Kelleher, Lucille King, Barbara Sipler, Laura Spear, Russ Willis, Phil Moseley, Brian Martinson, and Associate Members Tom Farnsworth and Thom Neff.

Light Pollution Sub-Committee - Chairman Russ Willis, Bill Chiarchiaro, Greg Troxel and Victoria Fletcher.

Our very capable professional consultants: Susan Sullivan of Places Site Consultants, Inc. and Town Counsel, Jon Witten, of Daley and Witten, LLC.

As can be seen by this report, the Board had another busy year, but this amount of work would never have been possible without the tireless and outstanding efforts of Karen Kelleher and Lois Costello, who not only work diligently for the Board, but also for other Town Boards and Committees and the general public with whom they interact on a daily basis.

Respectfully submitted,

Laura Y. Spear, Chairman
Kathleen A. Willis, Vice Chairman
Leonard H. Golder
Ernest E. Dodd
Stephen Quinn, Clerk
Bruce E. Fletcher, Voting Associate
Lori Clark, Associate

Malcolm FitzPatrick, Associate
Victoria Fletcher, Associate
Donna Jacobs, Associate

Karen Kelleher, Planning Coordinator
Lois Costello, Administrative Assistant

CONSERVATION COMMISSION

The Conservation Commission consists of up to seven members appointed by the Board of Selectmen to administer and enforce both the Massachusetts Wetlands Protection Act and the Town of Stow Wetlands Protection Bylaw. Areas subject to protection under these regulations include wetlands, rivers, streams, other water bodies and their banks, and flood plains, among others. In addition to these resource areas, the Commission must review and if appropriate, stipulate conditions under which proposed activities within 100 feet of the resource or 200 feet of ponds and streams except for Lake Boon must be conducted. The Commission also works to manage over 1,200 acres of conservation land throughout the community and to protect additional high priority lands. Trail maps and permit applications are available in the Conservation Commission office, which is located in the Town Building.

Presently, the Commission consists of seven members with varied backgrounds and a common interest in environmental issues. In addition, we have the strong support of several associate members who work on special projects, such as wetland delineation, drainage issues, trail mapping, forestry management, community gardens and open space planning.

Conservation Land Updates and Land Preservation

Two permits were issued for guided walks and educational activities at the Flagg Hill Conservation Area and Heath Hen Meadow Brook Woodland. The walks are sponsored by the Stow Conservation Trust and serve to familiarize participants with the trails and natural resources unique to the area.

There were numerous instances of trees down across trails after severe thunderstorms, high winds and ice storms. Bruce Trefry, the Commission's Land Steward checked the trails and removed the obstructions and potential hazards from Spindle Hill, Marble Hill, Gardner Hill, Captain Sargent, Heath Hen Meadow Brook Woodland and Flagg Hill Conservation Area. Trails were checked in preparation for the "Emerald Necklace" hike sponsored by the Stow Conservation Trust. Seasonally, the overgrown trail entrances were mowed at Wheeler Road and Gates Lane for improved access to Spindle Hill; Orchard View trail connection; Lanes End; Heritage Lane; and from the rear of Pompositticut School for Marble Hill. The meadow located on the Woodhead parcel of Flagg Hill was mowed to control successional species and enhance habitat for Eastern Bluebirds.

A parcel designation sign and informational kiosk were installed on the section of the Captain Sargent Land used for the community gardens by Bruce Trefry and Dave Schroeder. A special thank you to Dave Schroeder, a long term volunteer and friend of our conservation lands, for his carpentry expertise in creating and constructing the sign and kiosk.

The Stow Community Gardens is located at the Captain Sargent Conservation Area just off Tuttle Lane on the eastern side of Stow. During the past year, the Community Garden's Steward, Joyce Bunce supervised the creation of 30 x 50 foot and 30 x 25 foot garden plots. The Commission received thirty-six applications for the use of the garden plots from residents and non-residents, which was an increase from 2007. Once again we had a mix of gardeners, young and old, families and singles, scouts and two plots for the Stow Food Pantry donated by Joyce Bunce. The Tower Hill Botanical Garden in West Boylston requested to be allowed to tour Stow's Community Gardens. A history of Captain Sargent Conservation Area and the community gardens was provided to all participants. Due to the increased interest in organic food and the state of the economy, Joyce has recommended additional plots to be plowed to accommodate new gardeners. Joyce has requested to be garden steward for another year. The success of the community gardens is due to Joyce's dedication to gardening and educating the participants.

Dennis Walsh is dedicated to his studies of the vernal pool activity in Gardner Hill Conservation Area and development of the Stow Herpetofaunal Atlas project (SHERPA). The goal of the project is to document the distribution and relative abundance of amphibians and reptiles in Stow. Phase One, the establishment of effective survey methods in Gardner Hill for use by citizen-scientist volunteers throughout Stow, is in its third and final year. Upon review of the data and approval by the Conservation Commission, Phase Two, volunteer training and transect assignment is tentatively scheduled for spring 2010. Dennis has a scientific background and a strong interest in amphibians, protection of their habitat and educating the public on their importance to the environment.

The Conservation Commission was instrumental in facilitating an Agriculture Preservation Restriction with Alan Tyler and the Department of Agriculture in preserving 7 acres of his existing farmland in perpetuity for agriculture. Agricultural land and maintaining the viability of agriculture in Stow is the highest priority identified in Stow's Open Space and Recreation Plan. The Commission views protection of the Tyler Farm parcel as an important addition to the "critical mass" of active agricultural land west of Hudson Road and south of route 117.

The majority of our Conservation Land Volunteers are Stow residents, some are from neighboring towns, and everyone shares a common interest in being involved with conservation related activities. A heartfelt **Thank you** to all of the volunteers for their contribution to our community and the lands they cherish. Anyone interested in volunteering should contact the Commission at 978-897-8615.

You can help preserve the beauty of our lands by reporting acts of vandalism, violation of regulations, downed trees, and other potential hazards to the Conservation Commission at 978-897-8615. Thank you in advance for your help and cooperation.

Public Hearings

Hearings for residential construction, wetland delineations/resources and restoration projects as a result of enforcement action continued at a brisk pace, including Assabet Water Company expansion, Butternut Farm Golf Club, Lake Boon Drawdown and continued review of the Minute Man Airfield for their Vegetative Management Plan, Arbor Glen Active Adult Community,

Villages at Stow, Bose Corporation, Massachusetts Fire Fighting Academy, and several small applications for home improvements and septic repair. Commission members continued their participation in several town-wide planning projects, including updating of the Master Plan, School, Lower Village Water Study Committee, Land Use Task Force, Open Space and Recreation Plan and Community Preservation Committee.

The Commission held 37 public hearings for projects during the year. A total of \$3,704 was generated for the Town by these hearings and applications. License Agreements, Community Garden fees, Regulations for Wetland Protection Bylaw, Trail Guides, copy fees and donations also generated \$2,625.

Cooperative Efforts and Long Range Planning

Work plan priorities for the coming year include but are not limited revisions to the Wetland Protection Regulations, the Land Stewardship Committee, baseline monitoring for conservation restrictions, vernal pool education and invasive species identification. The commission also works collaboratively with local conservation organizations including the Stow Conservation Trust and Sudbury Valley Trustees on both land protection and land management issues.

The Opens Space and Recreation Plan was completed and approved by the state. Copies of the Plan can be purchased by notifying the Conservation Commission. The Open Space Committee and Commission are in the process of preparing the document in a format that can be downloaded from the Stow website. Congratulations to the Open Space Committee!

During the past year, the Rail Trail Committee requested funding and assistance from the Commission for input regarding the wetland resources for a feasibility study of the Lundy property located along the Assabet River off of Sudbury Road.

Administration

Becky Mattison is the liaison to the Master Plan Committee and Kathy Sferra is the Commission's liaison to the Community Preservation Committee and Open Space Committee. Doug Moffat and Kathy Sferra are the Commission's liaisons to the Open Space & Recreation Plan Committee. Due to the dedication and hard work of these committees, a Community Preservation Plan has been drafted, the development of a Community Development Plan is in progress, an Open Space & Recreation Plan has been completed, a Stow Herpetofaunal Atlas project is underway and the formation of a Stewardship Committee is in the beginning phase.

Ingeborg Hegemann Clark and Rebecca Mattison have been appointed by the Selectmen as Stow's representatives on the Study Coordination Team for the Assabet River Sediment and Dam Removal Feasibility Study. The Organization of the Assabet River has organized a series of public workshops on restoration of the Assabet River including the implications of dam and sediment removal in which the Commission participates. The goal of the workshops is to provide a common base of knowledge among all who have an interest in how Assabet River water quality concerns are addressed and to provide an exchange of views. The workshops will aim to provide interested parties with readily understandable scientific and technical information.

Bruce Trefry is the Commission's Land Steward and the parcel steward for Flagg Hill Conservation Area and Heath Hen Meadow Brook Woodland. Bruce provides overall management of the town's conservation lands and does an outstanding job for the Commission.

Joyce Bunce is the steward for the community gardens at the Captain Sargent Conservation Area on Tuttle Lane. She is also a member of the Stow Garden Club. Joyce has done a wonderful job coordinating participants, laying out plots and educating the gardeners on organic farming.

Pat Perry's consistent management of daily operations is outstanding. We all thank Pat for her efforts. Thanks to her hard work, the Commission has maintained and improved its high standard of professionalism in its interactions with town residents, other town boards and commissions, and state regulatory and enforcement bodies. As we add more conservation land to that already under management by the Commission, and as development activity in Stow accelerates, it becomes more and more important to coordinate the activities of the Commission with other town boards and effectively maintain required documentation. Pat continues to do an outstanding job in her role of coordinating daily operations and the successes of the Conservation Commission are due in large part to her dedication and effort.

The Commission benefits from working with town departments, land trusts, associate members and the community. Your input and assistance are invaluable to the Commission. **THANK YOU!**

If you have an interest, expertise or experience in conservation or environmental protection and would like to be a member, an associate member or volunteer, please call the office at 897-8615 or attend a meeting. Meetings are generally held on the first and third Tuesday of every month.

Respectfully submitted,

Ingeborg Hegemann Clark
David Coppes, Chair
Kathy Sferra
Doug Moffat
Rebecca Mattison
Dennis Walsh, Vice-Chair
Kathy Tarbi

Bruce Trefry, Associate
Dwight Sipler, Associate
Stewart Dalzell, Associate
Joyce Bunce, Associate

Patricia Perry, Administrative Assistant
Elizabeth Cote, Assistant

BOARD OF HEALTH

As the local authority responsible for the health and safety of Stow residents, the Board of Health continues its service to the Town by insuring that our water, sanitation, habitation, and environment continue to meet the high standards set by those early pioneers who recognized that good health practices create positive outcomes for people and the environment.

Medical Reserve Corps

During 2008 we continued to work with the Medical Reserve Corps (MRC), and Fire and Police Chiefs, on the Town's Emergency Planning Program. Money from Emergency Preparedness grants distributed by the Department of Homeland Security come to the Town through the MRC to allow planning, purchase, and storage of materials necessary in case of a natural or manmade disaster.

In November of 2008, the Board of Health and the MRC again ran a Flu Clinic for the Town utilizing our Emergency Dispensing Site Plan. This enabled the Town to critique the plan, understand where it worked, and where its weaknesses were. It was a very successful clinic and we spent many hours afterward creating the After Action Plan that we were required to submit to

the Department of Public Health. Anyone who is interested in volunteering can contact the Board of Health for information and contact numbers.

A very bad ice storm, which affected many of the towns in our area, prompted the setting up of a shelter in Stow. Through the generosity of Meetinghouse at Stow, the MRC was able to provide temporary shelter for several senior citizens who needed to be warm and fed. A big thank you goes to all the folks at Meetinghouse and also to Nancy's Airfield Café. Nancy provided sandwiches to feed our seniors and MRC crew. The MRC, Police and Fire Departments, and Council on Aging came together and planned and carried out all the necessary tasks associated with sheltering.

Public Health Nurse

The Board received approval of a budget provision to hire a public health nurse for three hours a week. This is a pilot program for the Town to see if the residents of Stow would utilize this service. During the few short months the nurse has been with us she has been kept quite busy and we have had very positive feedback. We will look at the data and report on the success or failure of the program during the next budget session for FY 2010.

Hazardous Waste and Recycling

The Board collaborated with the Stow Boy Scouts Troop 1 in the spring of 2008 to advertise the electronics collections that they were organizing. We encouraged the Town Municipal Offices to recycle many old computers and parts out of the Town Building where they were stored and donated money from the hazardous waste fund to the Boy Scouts for taking all of this old equipment. This worked well for us, as the intent of the program is to safely dispose of this material. The electronics are recycled by the pound. Creating a separate collection for this material enables the Board to direct its hazardous waste funds more efficiently to the collection of other kinds of hazardous materials. We ran a very successful household hazardous waste collection day May 10th with a total of one hundred and forty-one households taking part. Some of the waste collected was as follows: pesticide solids & liquids, propane cylinders, mixed aerosols, consolidated solvents, paints, batteries, & mercury.

Mosquito Control

The Town of Stow continues to belong to the Central Massachusetts Mosquito Control Project to provide control of this pest, which is a carrier of such diseases as Equine Encephalitis and West Nile Virus. The Project is committed to an Integrated Mosquito Management Program, which utilizes a variety of control techniques and evaluation procedures. The first and most permanent method is called water management, source reduction or wetlands restoration. The second method is called larviciding and the third method is to attempt to control the adult mosquito by spraying on a **request-only** basis. The presence of adult mosquitoes is confirmed before any application is done. All control efforts are undertaken only after surveillance data has been collected and analyzed. This allows control decisions to be made based on the exact need that exists at each specific site. Environmental considerations are paramount when prescribing various control techniques. The Project's goal is to provide effective and environmentally sound mosquito control, reducing mosquito annoyance and the potential for the transmission of mosquito-borne diseases.

Animal Control

The revision of the Animal Control Bylaw for the Town of Stow was presented at the regular May 2008 Town Meeting. The Town and the Attorney General approved the Bylaw. The Animal Control Officer and the Animal Inspector continue to provide excellent coverage

throughout the town with the ability to respond quickly to any situation. The following is a report of activity for the year 2008:

Dog Complaints – 118	Cat Complaints – 2	Wildlife Calls - 55
Injured Animals – 4	Found Dogs – 38	Cruelty/Neglect - 9
Lost Dogs – 82	Lost Cats – 21	Found Cats – 1
Dead Animals on Roads - 60	Other – 82	Dogs Impounded - 14
Dogs Returned to Owners – 13	Dogs in New Homes – 1	
Citations Issued:		
Written Warnings – 13	\$25.00 Fines - 9	

There were 87 more calls to animal control this year, which is a 24% increase.

The following is the annual livestock count:

Cattle: Dairy – 2	Beef – 30	Steers – 6	
Goats – 40	Sheep – 29	Swine – 1	Llamas – 4
Alpacas – 16	Horses – 113	Ponies – 22	Donkeys - 1
Poultry: Chickens – 275		Turkeys – 1	
Waterfowl – 28	Game birds – 22	Rabbits - 44	

Quarantines are as follows:

6 – dog to person	2 cat to person
2 – wounds of unknown origin to dogs	6 – wounds of unknown origin to cats
6 – dog to dog	

Permitting & Revenues

Revenue of \$26,038.95 was remitted to the Town. The following is a list of permits issued:

Bed & Breakfast – 4	Ice – 3	Pools - 2
Pet Shop – 1	Septage Haulers – 11	Title 5 Inspections - 44
Installers – 43	Camps – 4	Wells - 23
Food Service – 64	Rubbish Haulers – 4	Tobacco - 6
Cider Mills – 5	Stables – 24	Dumpsters – 12
Disposal Works Construction Permits – 43		

The public is invited to visit our office in the Town Building to learn what information we have available on public health, the environment, hazardous materials, and recycling. As always, we encourage you to call or visit if you have any questions, problems, or concerns. We are open from 9AM to 5PM Monday through Friday and available by phone at 978-897-4592. Don't forget to visit us on the Town of Stow website. We post our meetings and information on special issues on this site. Visit us at www.stow-ma.gov.

Respectfully submitted,

Marcia B. Rising, Chair
Betty Cormier
Sylvia Daley

Susan Latham, Animal Control Officer
Phyllis Tower, Animal Inspector

Theora S. Cole, Administrative Assistant
Lynn Fishman, Clerk
Jack Wallace, Health Agent

ZONING BOARD OF APPEALS

The year 2008 brought forth nine applications for public hearings submitted to the Board. The decreasing trend continues, as can be seen when compared to the 46 in 2005, 21 in 2006 and 15 in 2007.

There were four applications for variance from the Zoning Bylaws of the Town, and all were granted. One, however, was appealed by an abutter. This was resubmitted by the applicant in a manner agreed by negotiation with the abutter. Although the amendment was not necessary from the Board's standpoint, the Board voted to revise and reissue the new variance.

There were five applications for special permit. All were granted.

The Board continues to monitor the Villages at Stow project, for which a Comprehensive Permit was granted in October 2003, in accordance with the provisions of Massachusetts General Law Chapter 40B.

The Board of Appeals meets on the first Monday of each month, as needed, in the Town Building. Information regarding procedure and application for hearing may be obtained by contacting Catherine Desmond, Secretary to the Board

Respectfully submitted,

Arthur R. Lowden
John Clayton Jr., Clerk
Edmund C. Tarnuzzer, Jr.
Donald E. Dwinells
Michele Shoemaker
Richard S. Martin, Associate

Donald B. Hyde, Jr. Associate
Charles A. Barney, Associate
Lee Heron, Associate
William F. Byron, Jr., Associate
Bruce E. Fletcher, Associate

Catherine A. Desmond, Secretary

TOWN SERVICES

HIGHWAY DEPARTMENT

The Highway Department had a very busy winter for 2007-2008. The month of December 2007 gave us 5 plowable events of snow totaling over 32 inches of the white stuff. Throughout the course of the winter our sand/salt spreader trucks were dispatched to treat unsafe roads a total of 62 times. This consists of five Highway Department trucks treating the Town's roads with sand and salt when road conditions become unsafe from snow and ice. The remainder of the winter was fairly quiet, yielding an unofficial total of 13 more inches of snow and 4 more plowable events throughout January, February, and March.

Once winter had passed, this department spent much of the springtime cleaning up from the events of winter. This includes the sweeping of roads, town owned parking lots, and sidewalks,